

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**TODD JERNIGAN, On Behalf
of Himself, All Others Similarly
Situated, and the General Public,**

Plaintiff,

V.

**BEAM GLOBAL SPIRITS &
WINE, INC., and FORTUNE
BRANDS, INC.,**

Defendants.

Case No. 3:11-cv-00842-DRH-PMF

MOTION TO DISMISS WITHOUT PREJUDICE

Comes now Plaintiff, Todd Jernigan, by and through his attorneys, Gori Julian & Associates, P.C. and hereby moves this court for an order dismissing his case without prejudice.

WHEREFORE, Plaintiff Todd Jernigan respectfully requests this Court enter an order dismissing this case without prejudice.

Dated: 8/27/12

Respectfully Submitted,

By: /s/ D. Todd Mathews
D. Todd Mathews
Randy L. Gori
Gori Julian & Associates, P.C.
156 N. Main Street
Edwardsville, IL 62025
(618) 659-9833

Attorneys for the Plaintiff

CERTIFICATE OF SERVICE

I, D. Todd Mathews, hereby certify that on this 27th day of August, 2012, I filed electronically the foregoing Motion to Dismiss Without Prejudice with the court using the CM/ECF system which serves all parties of record.

/s/ D. Todd Mathews